

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JOHN TAYLOR ,

Plaintiff,

v.

No. 1:08-CV-180
(GTS/DRH)

JOHN GRANT, et al.,

Defendants.

JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT

The Court has been advised by United States Magistrate Judge David R. Homer that the parties in the above-captioned case have reported to him that the case has been settled. Counsel has also advised Judge Homer that no infant or incompetent is a party to this action. Based upon this development, I find that it is not necessary for this action to remain on the calendar of the Court. Accordingly, pursuant to N.D.N.Y.L.R. 68.2(a), it is hereby

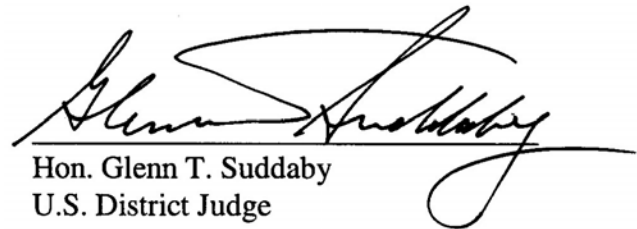
ORDERED that:

1. The above-captioned case is hereby **DISMISSED** in its entirety **without prejudice** to re-opening upon the motion of any party within thirty (30) days of the date of the filing of this judgment upon a showing that the settlement was not consummated;
2. The dismissal of the above-captioned case shall become **with prejudice** on the thirty-first day after the date of the filing of this judgment unless any party moves to re-open this case within thirty (30) days of the date of the filing of this judgment upon a showing that the settlement was not consummated; and

3. The Clerk shall forthwith serve this Judgment upon the attorneys for the parties appearing in this action by electronic mail.

IT IS SO ORDERED.

DATED: February 17, 2009
Syracuse, New York



Hon. Glenn T. Suddaby
U.S. District Judge